



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

4601 N Monroe Street • Spokane, Washington 99205-1295 • (509)329-3400

January 12, 2012

Mr. Mark Cauchy
PUD No. 1 of Pend Oreille County
P.O. Box 190
130 North Washington
Newport, Washington 99156

COPY

Re: Surface Water Permit No. S3-30635

Dear Mr. Cauchy:

Enclosed is your permit to be retained for your records. Please read the enclosed information sheet, as well as your entire permit.

This permit authorizes you to construct your project and put water to use.

We are enclosing a *Construction Notice* form. **You have thirty (30) days to return the completed form to this office, if you have not begun construction you must contact this office to apply for an extension.**

If you have any questions, please contact me at 509-329-3526.

Sincerely,

Karen Tusa
Water Resources Program
Eastern Regional Office

KT:md

W: Permits/Tusa/2012/Pend Oreille County PUD No. 1 S3-30635 1-12-2012.doc

Enclosures: Permit

Construction Notice

Important Information About Your Water Right Permit



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

PERMIT
TO APPROPRIATE PUBLIC WATERS OF THE STATE OF WASHINGTON

- ☒ Surface Water (Issued in accordance with the provisions of Chapter 117, Laws of Washington for 1917, and amendments thereto, and the rules and regulations of the Department of Ecology.)
- ☐ Ground Water (Issued in accordance with the provisions of Chapter 263, Laws of Washington for 1945, and amendments thereto, and the rules and regulations of the Department of Ecology.)

PRIORITY DATE	APPLICATION NUMBER	PERMIT NUMBER	CERTIFICATE NUMBER
March 4, 2011	S3-30635	S3-30635	

NAME	PUD No. 1 of Pend Oreille County		
ADDRESS (STREET)	(CITY)	(STATE)	(ZIP CODE)
130 North Washington; P.O. Box 190	Newport	Washington	99156

The applicant is pursuant to the Report of Examination which has been accepted by the applicant, hereby granted a permit to appropriate the following public waters of the State of Washington, subject to existing rights and to the limitations and provisions set herein.

PUBLIC WATERS TO BE APPROPRIATED

SOURCE	Sullivan Lake		
TRIBUTARY OF (IF SURFACE WATERS)	Outlet Creek		
MAXIMUM CUBIC FEET PER SECOND	MAXIMUM GALLONS PER MINUTE	MAXIMUM ACRE FEET PER YEAR	
225		31,209	

PURPOSE	DIVERSION RATE		UNITS	ANNUAL QUANTITY (AF/YR)		PERIOD OF USE (mm/dd)
	ADDITIVE	NON-ADDITIVE		ADDITIVE	NON-ADDITIVE	
In-Lake Fisheries	225		CFS	31,209		01/01 - 12/31
In-Lake Recreation & Aesthetics		225	CFS		31,209	01/01 - 12/31
Instream Flow (Downstream)		225	CFS		26,000	06/01 - 12/31
Power (Downstream)		225	CFS		26,000	06/01 - 12/31
Mitigation (Downstream)		210	CFS		14,000	06/01 - 09/30

REMARKS

This Secondary Use Authorization is to confirm the use of annual storage up to 31,209 acre-feet of in-lake beneficial use for fisheries, recreation and aesthetic purposes. During a portion of the year, water will also be released pursuant to a lake management plan for downstream hydropower, instream flow and mitigation uses.

LOCATION OF DIVERSION/WITHDRAWAL

APPROXIMATE LOCATION OF DIVERSION-WITHDRAWAL
Latitude: 48.83992° N Longitude: -117.28941° W

LOCATED WITHIN (SMALLEST LEGAL SUBDIVISION)	SECTION	TOWNSHIP N.	RANGE, (E. OR W.) W.M.	W.R.I.A.	COUNTY
SW¼NE¼	31	39	44 E.	62	Pend Oreille

RECORDED PLATTED PROPERTY

LOT	BLOCK	OF (GIVE NAME OF PLAT OR ADDITION)

LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS TO BE USED

In-lake uses occur in Sullivan Lake, Pend Oreille County. Out-of-lake uses occur from Sullivan Lake, through the Pend Oreille River, into the Columbia River to the confluence of the Columbia River and the Pacific Ocean.

COPY

DESCRIPTION OF PROPOSED WORKS

Proposed works include Sullivan Dam, spillway, and outlet works.

DEVELOPMENT SCHEDULE

BEGIN PROJECT BY THIS DATE: January 1, 2012	COMPLETE PROJECT BY THIS DATE: January 1, 2015	WATER PUT TO FULL USE BY THIS DATE: January 1, 2016
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PROVISIONS

Following release of 14,000 acre-feet of water for instream flow purposes and mitigation of out-of-stream uses, the PUD shall convey said quantity to Ecology's trust water program consistent with the *Memorandum of Agreement between the State of Washington and Public Utility District of Pend Oreille County for the Sullivan Lake and Sullivan Creek Water Supply Project* (October 22, 2010).

For regulation purposes, the effective priority date of this secondary use authorization shall be the same as the claimed reservoir right, Claim 300245, June 1907.

An approved measuring device shall be installed and maintained for each of the sources identified by this water right in accordance with the rule "Requirements for Measuring and Reporting Water Use", WAC 173-173.

Measurement of Water Use

How often must water use be measured?	Daily
How often must water use data be reported to Ecology?	Annually (January 31)
What volume should be reported?	Total Annual Volume
What rate should be reported?	Weekly Peak Rate of Withdrawal (gpm or cfs)

Ecology is requiring the recording and reporting of meter data as described above to collect seasonal information for water resource planning and compliance. The Lake level shall also be measured at least weekly and records of the lake level shall be maintained. Start and end date of release of water from storage shall be identified. Natural flows from the creeks and inflow system are not considered release from storage.

Recorded water use data shall be submitted via the Internet. To set up an Internet reporting account, contact the Eastern Regional Office. If you do not have Internet access, you can still submit hard copies by contacting the Eastern Regional Office for forms to submit your water use data.

WAC 173-173 describes the requirements for data accuracy, device installation and operation, and information reporting. It also allows a water user to petition the Department of Ecology for modifications to some of the requirements.

The new cold water release facility intake(s) shall be screened in accordance with Department of Fish and Wildlife screening criteria (pursuant to RCW 77.57.010, RCW 77.57.070, and RCW 77.57.040). Contact the Department of Fish and Wildlife, 600 Capitol Way N, Olympia, WA 98501-1091. Attention: Habitat Program, Phone: (360) 902-2534 if you have questions about screening criteria. <http://wdfw.wa.gov/about/contact/>

The water right holder is required to maintain efficient water delivery systems and use of up-to-date water conservation practices consistent with RCW 90.03.005.

The water right holder shall file the notice of Proof of Appropriation of water (under which the certificate of water right is issued) when the permanent distribution system has been constructed and the quantity of water required by the project has been put to full beneficial use. The certificate will reflect the extent of the project perfected within the limitations of the permit. Elements of a proof inspection may include, as appropriate, the source(s), system instantaneous capacity, beneficial use(s), annual quantity, place of use, and satisfaction of provisions.

Department of Ecology personnel, upon presentation of proper credentials, shall have access at reasonable times, to the project location, and to inspect at reasonable times, records of water use, wells, diversions, measuring devices and associated distribution systems for compliance with water law.

This permit shall be subject to cancellation should the permittee fail to comply with the above development schedule and/or to give notice to the Department of Ecology on forms provided by that Department documenting such compliance.

Dated this 12th day of January, 2012, at Spokane, Washington,

Department of Ecology

REVIEW DATA
OK KT

by Keith L. Stoffel
Keith L. Stoffel, Section Manager